

Regular Session, 2011

HOUSE BILL NO. 255

BY REPRESENTATIVE BURRELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FAMILY VIOLENCE: Authorizes domestic abuse advocates to assist petitioners in making an application for a protective order

1 AN ACT

2 To amend and reenact R.S. 46:2138 and Children's Code Article 1566, relative to domestic
3 abuse assistance; to provide for petitions for protective orders; to authorize assistance
4 by domestic violence advocates; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 46:2138 is hereby amended and reenacted to read as follows:

7 §2138. Assistance; ~~of clerk of court;~~ domestic abuse advocate

8 A. The clerk of court shall make forms available for making application for
9 protective orders under this Part, provide clerical assistance to the petitioner when
10 necessary, advise indigent applicants of the availability of filing in forma pauperis,
11 provide the necessary forms, as supplied by the judicial administrator's office,
12 Louisiana Supreme Court, and provide the services of a notary, where available, for
13 completion of the affidavit required in R.S. 46:2134(D).

14 B. Domestic abuse advocates may provide assistance to petitioners in
15 making an application for a protective order in accordance with this Part.

16 Section 2. Children's Code Article 1566 is hereby amended and reenacted to read as
17 follows:

18 Art. 1566. Assistance; ~~of clerk of court;~~ domestic abuse advocate

19 A. The clerk of court shall make forms available for making application for
20 protective orders under this Chapter, provide clerical assistance to the petitioner

1 when necessary, advise indigent applicants of the availability of filing in forma
2 pauperis, provide the necessary forms, and provide the services of a notary, where
3 available, for completion of the affidavit required in Article 1568. The forms shall
4 be prepared by the Judicial Administrator's Office, Louisiana Supreme Court.

5 B. Domestic abuse advocates may provide assistance to petitioners in
6 making an application for a protective order in accordance with this Chapter.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Burrell

HB No. 255

Abstract: Authorizes domestic abuse advocates to assist petitioners in filing protective orders.

Present law provides that the clerk of court shall make forms available and provide assistance to petitioners in filing a protective order.

Proposed law retains present law and additionally authorizes domestic abuse advocates to assist petitioners in filing a protective order.

(Amends R.S. 46:2138 and Ch.C. Art. 1566)